



IFW

NO: 243648US2S

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KEITARO IMAI ET AL : EXAMINER: CHU, C.
SERIAL NO: 10/678,061 :
FILED: OCTOBER 6, 2003 : GROUP ART UNIT: 2815
FOR: SEMICONDUCTOR DEVICE AND :
METHOD OF MANUFACTURING THE SAME :

ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election Requirement dated October 26, 2004, Applicants elect without traverse Invention I, Claims 1-16, drawn to a semiconductor device, classified in class 257, subclass 774. Applicants further elect Species II, identified in the outstanding Official Action as corresponding to Figures 3A-3G, 4, 5A and 5B, for further examination on the merits. Applicants identify Claims 1, 3, 5, 7, 9, 11, 13 and 15 as readable on the elected species.¹ Applicants reserve the right to file one or more divisional applications directed to the non-elected species.

¹ The Election Requirement identifies Claims 19-20 as also corresponding to the elected Species II. In view of the dependency of Claims 19-20 as depending from Claims 17-18 of Species I, it is appears that perhaps the inclusion of Claims 19-20 in the Species II claims identified in the Election Requirement was in error. To the extent that it is possible to obtain examination of Claims 19-20 in the present application, examination of Claims 19-20 in the present application is respectfully requested.

Application No. 10/678,061

Reply to Office Action of October 26, 2004

Accordingly, examination on the merits of Claims 1, 3, 5, 7, 9, 11, 13 and 15 is believed to be in order and an early and favorable action is respectfully requested.

Customer Number

22850

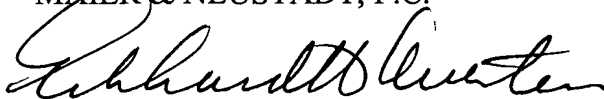
Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 08/03)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



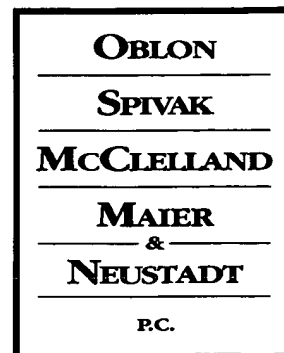
Eckhard H. Kuesters
Registration No. 28,870
Attorney of Record

I:\ATTY\EHK\AMEND-RESPONSES\0039\24S\243648US.ELECTION.DOC



Docket No.: 243648US2S

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

ECKHARD H. KUESTERS
(703) 413-3000
EKUESTERS@OBLON.COM

RE: Application Serial No.: 10/678,061

Applicants: Keitaro IMAI, et al.

Filing Date: October 6, 2003

For: SEMICONDUCTOR DEVICE AND METHOD OF
MANUFACTURING THE SAME

Group Art Unit: 2815

Examiner: Chu, C.

SIR:

Attached hereto for filing are the following papers:

ELECTION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

Registration No. 28,870

Customer Number

22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)